

# LABOR COMMISSION OPEN MEETING MINUTES

May 19, 2009

9:00 a.m.

Heber M. Wells Building  
160 East 300 South, Third Floor  
Salt Lake City Utah 84114

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## **PRESENT From the Labor Commission:**

Sherrie Hayashi, Commissioner

Alan Hennebold, Deputy Commissioner

Heather Morrison, Director – Antidiscrimination & Labor Division

Brent Asay – Wage Claim Unit Manager

Dan Singer - Antidiscrimination & Labor Division

Robyn Barkdull, Public Information Officer

## **OTHERS PRESENT:**

Jacob Smith – Governor’s Office of Planning and Budget

Jim Judd – Utah AFL-CIO

**Commissioner Hayashi** began the meeting at 9:00 a.m. and asked **Brent Asay** to review the new rule being proposed.

### **1. R610-3-22. Payment of Wages via Pay Cards**

**Mr. Asay** explained the purpose of this rule is to permit employers to use pay cards to pay employee wages, and to establish requirements for use of such pay cards. He said that Utah is currently allowing employers to use this form of payment, but it is necessary to establish the requirements by rule. **Mr. Asay** said various other states allow this form of payment as well.

The rule mandates that employees must be able to have access to all wages due on their designated payday and specify where the cards can be used. A statement of wages must also be provided to the employee.

### **R610. Labor Commission, Antidiscrimination and Labor, Labor.**

#### **R610-3. Filing, Investigation, and Resolution of Wage Claims.**

#### **R610-3-22. Payment of Wages Via Pay Cards**

A. An employer may pay wages by providing the employee a pay card subject to the following conditions:

1. The employee must be able to use the pay card for full payment of wages on the designated payday or within 6 months thereafter.

2. The employee must be able to use the pay card twice in a pay period to withdraw funds without incurring a fee or charge.

There were no comments made by anyone in attendance relating to promulgation of the proposed rule. The Commission said the rule did receive a unanimous recommendation from the UALD Advisory Board, and the Commission will proceed with the rulemaking process.

**The Commissioner** adjourned the meeting at 9:10.